

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KEVIN G. BOYD, individually and on
behalf of others similarly situated,

Plaintiff,

v.

BANK OF AMERICA, N.A.,

Defendant.

C18-1207 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) By noon on April 1, 2021, the Settlement Administrator shall file a supplemental declaration under seal setting forth the names of (a) the two (2) class members who have submitted exclusion forms, (b) the two (2) class members who have submitted adjustment forms, (c) the ten (10) class members to whom notice of the proposed class action settlement could not be effected, and (d) the twenty-two (22) class members who received notice after the deadline for opting out of the settlement. *See* Mills Decl. at ¶¶ 13–16 (docket no. 37-2); *see also* Minute Order at ¶ 1(h) (docket no. 35) (requiring that copies of all exclusion forms be filed under seal).¹

¹ Class Counsel has submitted a proposed order containing the names of two individuals who are presumably the class members referenced in Paragraph 1(a), above, but the record contains no evidence to support that conclusion. In addition, the portion of the proposed order reciting those names was filed in a publicly viewable format, which is inconsistent with the Court's explicit instructions, *see* Minute Order at ¶ 1(h) (docket no. 35), and the Court has therefore sealed the proposed order, docket no. 37-4, in its entirety.

1 (2) At the hearing on April 2, 2021, at 10:00 a.m., counsel and/or the
2 Settlement Administrator shall be prepared to address (i) what further efforts, if any,
3 might reveal valid contact information for the ten (10) class members referenced in
4 Paragraph 1(c), above, (ii) the costs involved in attempting to locate such class members,
5 (iii) the aggregate amount those class members would be entitled to receive from the
6 settlement, (iv) whether such class members should be excluded from and not bound by
7 the settlement, and (v) whether additional time to opt out, object, and/or return completed
8 adjustment forms should be given to class members referenced in Paragraph 1(d), who
9 did not receive notice prior to March 19, 2021.

6 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of
7 record.

8 Dated this 30th day of March, 2021.

9 William M. McCool
10 Clerk

11 s/Gail Glass
12 Deputy Clerk